

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

820M0166

HOUSE AGRICULTURE AND NATURAL RESOURCES

COMMITTEE ENGROSSED NO. **HB 1071** -

01/26/2006

Introduced by: Representatives Tidemann, Brunner, Davis, Dennert, Frysliie, Gassman, Hackl, Halverson, Hargens, Haverly, Heineman, Howie, Hunhoff, Jensen, Klaudt, Lange, Nelson, O'Brien, Peters, Rausch, Rave, Rounds, Sigdestad, and Street and Senators Hanson (Gary), Bartling, Duenwald, Earley, Gray, Kloucek, Koskan, Lintz, McNenny, Moore, Peterson (Jim), Sutton (Dan), and Sutton (Duane)

1 FOR AN ACT ENTITLED, An Act to amend the composition, supervision, and functioning of
2 the State Seed Certification Board.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 38-11-2 be amended to read as follows:

5 38-11-2. All members of the State Seed Certification Board shall be electors of the state; ~~one~~
6 two shall be ~~a person~~ persons recommended for appointment by the South Dakota Crop
7 Improvement Association; ~~one shall be a person recommended for appointment by the South~~
8 ~~Dakota Horticultural Society~~; one shall be a representative of the State Department of
9 Agriculture; ~~one~~ two ~~member~~ shall be ~~a person~~ persons recommended by the dean of agriculture
10 at South Dakota State University; ~~one shall be a person recommended for appointment by the~~
11 ~~South Dakota Potato Growers' Association; the~~. The members of the board shall be appointed
12 so as to represent all areas of the state. The secretary of agriculture shall make these



1 appointments from ~~a list~~ lists of two or more names submitted for each position on the board.

2 Section 2. That § 38-11-1.1 be amended to read as follows:

3 38-11-1.1. The Seed Certification Board shall be administered under the direction and
4 supervision of the ~~Department of Agriculture and the secretary thereof~~ College of Agriculture
5 and Biological Sciences at South Dakota State University and the dean of the college, but shall
6 retain the quasi-judicial, quasi-legislative, advisory, other nonadministrative and special
7 budgetary functions ~~(, as defined in § 1-32-1),~~ otherwise vested in it and shall exercise those
8 functions independently of the ~~secretary of agriculture~~ dean and the college.

9 Section 3. That § 38-11-4 be amended to read as follows:

10 38-11-4. The State Seed Certification Board shall hold its meetings ~~at the seat of~~
11 ~~government~~ at such times and places as it designates, ~~but there shall not be.~~ The board shall hold
12 at least one, but not more than four regular meetings each year, including the annual meeting
13 ~~which shall be held on the last Tuesday of January of each year, at which.~~ At the annual meeting
14 the president, vice-president, and secretary shall be elected for the ensuing year; ~~provided that~~
15 ~~the.~~ The president of the board ~~shall have power to~~ may call special meetings whenever ~~in his~~
16 ~~judgment he finds~~ the president judges it necessary.

17 Section 4. That § 38-11-6 be amended to read as follows:

18 38-11-6. The ~~State Seed Certification Board is~~ secretary of agriculture and the dean of the
19 College of Agriculture and Biological Sciences at South Dakota State University shall designate
20 the official seed certifying agency for the state. The ~~board~~ State Seed Certification Board may
21 designate one or more public or private entities to perform necessary seed certification activities
22 under the supervision of the board. The board may designate separate official certification
23 agencies for various types or classifications of seed or propagating materials. The board shall
24 notify the secretary and the dean of any designations made pursuant to this section.